

CHAPTER 16

Land Use Code

Article II Community Design Principles and Development Standards

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ARTICLE II

Community Design Principles and Development Standards

Division 1

General

Sec. 16-2-10. General provisions.

(a) Applicability. All development applications and building permit applications shall comply with the applicable standards contained in this Article.

(b) Relation to Zone District Standards (Section 16-3-490 of this Code). In the event of a conflict between a standard or requirement contained in Section 16-3-490 and this Article, the standard in Section 16-3-490 shall prevail. (Ord. 480 §2.1, 2003)

Sec. 16-2-15. Vision and intent.

(a) The intention of the Town of Milliken in enacting this Article is to clearly describe the Town's vision and to create a vital, cohesive, well-designed community in order to enhance its small-town character and further the citizens' goals as identified in the *Milliken Comprehensive Plan* ("Comprehensive Plan").

. . . Visions for Community is an attempt to bring into the city a new form of urban design, one which predicts a shift in the ways a community attempts to consider its physical city, its environment, its traditions, ritual life and mores and how they all cohere into patterns we call city. This "new" form of urban design is in truth quite old. It reflects one of humankind's most primordial activities – the making of "space" into "place." It is considered new in this particular time because it is counter to the way cities have evolved during the twentieth century, by responding to the marketplace. It is considered new because it emphasizes "community" as its guiding imperative instead of economic gain, and "vision" as its principal operative rather than opportunism.

– Dallas Visions for Community, Dr. Gail Thomas

(b) The Town has many attributes, but its greatest source of pride is its small-town character. This character is readily apparent and forms the foundation of the community. As the Town grows, the elements that contribute to this character must be strengthened and nurtured. As part of the comprehensive planning process, the citizens of the Town described these elements and their collective intentions for development of the community. Their vision and intentions are outlined below:

(1) Community.

a. The Town will continue to be peaceful, quiet and safe with citizens who know, respect and care for each other and have a general concern for the community as a whole.

b. Milliken will continue to be a wonderful place to raise a family. Residents will represent a broad diversity of people in terms of age, income, interests and activities. Special attention will be given to the youth and seniors of the community.

c. The Town's western and cultural heritage needs to be preserved through historic preservation efforts of its significant buildings and cultural events.

d. The architectural styles used for new businesses will provide interesting, high-quality buildings while maintaining the small-town charm of Milliken.

e. The development of new schools in the Town, as demand warrants, will be an important component of providing exceptional educational opportunities to the youth in the community.

f. A spirit of cooperation will be fostered with the surrounding communities and the County.

(2) Housing.

a. Neighborhoods will each have unique character and will be designed with pedestrian access and linkages to parks, schools, public facilities, downtown, commercial areas and the Milliken trail system.

b. Additional variety of housing types will be available to reflect the diversity within the community. New development will include varying housing types, such as: single-family homes, row houses, small clusters of multi-family units and apartments, terraced town homes, senior housing and some manufactured homes. The diversity of product types available will accommodate a variety of lifestyles and income levels.

c. New residential developments will reflect the diversity of existing neighborhoods and incorporate a variety of housing styles and types. Large-scale, "cookie-cutter" developments will not be allowed.

d. Affordable housing will be dispersed among the mixture.

e. Incentives will be investigated in order to upgrade existing housing that is in need of repair.

(3) Public facilities.

a. Educational opportunities for all ages will be provided in many of the parks and public facilities throughout the community.

b. The development of a new Community Center will be pursued to provide a pool, recreation and cultural center, fine arts theater and outdoor concert facility.

c. The Thompson River corridor will be developed as a primary greenway over time, in order to highlight the scenic corridor and provide recreational opportunities.

d. New development will pay for its infrastructure costs and required services.

e. There must be adequate capacity in water and wastewater facilities prior to approval of new development. Water storage will be achieved without causing unnecessary negative visual impact.

f. Convenient public transit will ultimately be made available to nearby urban areas. This includes the possibility of a connection to the commuter rail system that may one day be built between Fort Collins and Denver.

(4) Environment.

a. The natural environment, the Town's most distinguishing feature, will be preserved and integrated into all aspects of community design. Special attention will be given to the design of the Town's entryways, as well as open space preservation at the outskirts of the Town limits.

b. Development will not be allowed on the bluffs, which are located north of the Big Thompson River and along ridgelines.

c. New developments will be built in harmony with the natural environment and take into consideration the physical constraints of the site, as well as aesthetic and ecological values of the land. Steep hillsides, drainageways and riparian areas will be protected.

(5) Economic vitality.

a. Downtown redevelopment will be an ongoing process to continue to strengthen the core community as an activity center and economic base.

b. Incentives will be investigated to encourage the development and expansion of local businesses in order to continue to create jobs within the community so that people can work and live in Town.

c. The Town's economic vitality will be achieved by allowing appropriate new development that enhances the community as a visitor destination and encourages small local businesses to thrive. A strong economy, combined with creative funding strategies, will enable the Town to invest in a number of desired amenities.

(c) Overall, Milliken will continue to be a wonderful place to call "home," with an unsurpassed quality of life. (Ord. 480 §2.2, 2003)

Sec. 16-2-20. Application of community design principles.

(a) The community design principles as set forth in this Article are to be considered in every development proposal. The Town's goal is to expedite the planning review process by clearly outlining the Town's expectations for new development. To this end, the Planning Commission invites applicants to participate in a visioning meeting prior to preparing the sketch plan application (refer to Section 16-4-160 of this Code. The visioning meeting is an initial meeting between the developer and the Planning Commission. It is intended to begin a collaborative process to ensure that new development is consistent with the community's goals and that issues are identified early in the process.

(b) The Planning Commission and Board of Trustees will evaluate each proposal based on these principles and the context within which a project is located. The principles are intended to be specific enough to guide development, but not to preclude creative design solutions. **Applicants must substantially conform to the design principles unless it can be demonstrated that an acceptable alternative meets one (1) or more of the following conditions:**

- (1) The alternative better achieves the stated intent;
- (2) The intent will not be achieved by application of the principle in this circumstance;
- (3) The effect of other principles will be improved by not applying the principle; and/or
- (4) Strict application or unique site features make the principle impractical. (Ord. 480 §2.3, 2003)

Sec. 16-2-25. Design elements.

One (1) of the greatest challenges facing small towns is the successful integration of new development with the original Town pattern. Suburban development patterns which have included numerous cul-de-sacs and limited street connections have often separated communities and created enclaves of the original towns. In order to maintain the Town's unique, small-town character and clearly describe the Town's vision, the following design elements have been set forth within this Article.

(1) **Compact Urban Growth.** As the community grows from the original Town limits, it is important to maintain a continuity of density, diversity and interconnectedness. Urban development should occur adjacent to the Town's core so that the community's prime agricultural land and natural areas are preserved and public infrastructure and utilities are used as efficiently as possible.

(2) **Neighborhood Design.** New developments should help create neighborhoods, rather than residential subdivisions adjacent to one another. Neighborhoods should be organized around a strong center, which may include elements such as common open space, civic and commercial or mixed uses. Strong consideration should be given to pedestrian movement, the character of streets and sidewalks as inviting public space, and the interconnectedness of the streets within the neighborhood and as they connect to the rest of the community. In addition, new neighborhoods should have a variety of housing sizes and types that help to create a distinct identity rather than a monotonous replication of styles.

(3) Lots and Blocks, Streets and Sidewalks. The layout of lots and blocks should be designed to continue the Town's existing block pattern to form a grid or modified grid pattern that is adapted to the topography, natural features and environmental considerations. The streets should be tree-lined and interconnected in order to create a comprehensive transportation network that facilitates the movement of pedestrians, cars and bicycles.

(4) Parks and Open Space. New developments shall use natural open spaces and developed public space (such as parks and plazas) to organize and focus lots, blocks and circulation patterns, protect natural areas and quality agricultural land and create an identity for each neighborhood.

(5) Site Design, Architecture and Landscaping. One (1) of the fundamental intentions of this Code is to encourage innovative, quality site design, architecture, and landscaping in order to create new places that can be integrated with the existing community and reflect the traditional patterns of the region. The photographic Design Vocabulary (Section 16-2-835 of this Article) as well as illustrations throughout the Code are intended to provide a visual description of the Town's design intentions.

(6) Environment. New developments should be designed to fit within the environment. To the greatest extent feasible, sites should be designed to preserve natural areas and the plants and wildlife inhabiting those areas. In addition, new developments are encouraged to follow Green Builder Guidelines (see Subsection 16-2-815[c] of this Article) and to conserve natural resources, especially water.

(7) Water Conservation. As the State grows, increasing pressure will be placed on the limited supply of water resources. Milliken residents have emphasized the importance of preserving the quality and quantity of water. All new development is encouraged to use raw water for irrigation and to incorporate water-saving measures in building design and landscaping. Developments are required to use stormwater management techniques that address water quality as well as quantity. (Ord. 480 §2.4, 2003)

Sec. 16-2-30. Compact urban growth.

(a) Intent. The Town has adopted a compact urban growth policy that encourages and directs development to take place within areas contiguous to existing development in the community. This policy will accomplish several goals, including:

- (1) Improving air quality by reducing vehicle miles traveled and by promoting alternatives to the private automobile;
- (2) Preserving natural areas and features, particularly in the periphery of the Town;
- (3) Making possible the efficient use of existing infrastructure and cost-effective extensions of new services;
- (4) Encouraging in-fill development and reinvestment in built-up areas of the Town; and

(5) Promoting physical separation from neighboring communities to help each maintain its individual identity and character.

(b) General Provisions.

(1) The Town has established a Planning Area Boundary and adopted a cooperative planning area policy with Weld County and the Town of Johnstown. The purpose is to direct growth within the established Planning Area Boundary. No development shall be approved unless it is located within the established Planning Area Boundary and is consistent with the Comprehensive Plan. Exceptions to this policy may be considered at the discretion of the Board of Trustees if it can be demonstrated that the development will provide an exceptional benefit to the Town.

(2) The Town has established land use overlay districts (not analogous with zoning districts) within the Planning Area Boundary to ensure that the community grows in a way that enhances its special qualities and maintains a continuity of density, diversity and interconnectedness:

a. Downtown Mixed-Use: Allows for a transition to mixed-use development within the Downtown area.

b. Ridge Line Preservation District: Limits development on ridge lines.

These districts are to be used as a general guide in conjunction with the underlying land use designations on the Comprehensive Plan Land Use Map.

(c) Town Structure. **Town structure shall be formed by the clustering of neighborhoods, as opposed to developing single-use residential subdivisions adjacent to and disconnected from each other.** The clustering of neighborhoods to support the original Town Center and form additional multi-neighborhood centers is illustrated on the Comprehensive Plan Land Use Map. The original downtown needs to be strengthened by commercial and mixed-use development within the immediate vicinity, as illustrated. (Ord. 480 §2.5, 2003)

Sec. 16-2-35. Neighborhood design principles.

We have become so used to living among surroundings in which beauty has little or no place that we do not realize what a remarkable and unique feature the ugliness of modern life is. Both in this country and in many others, wherever one finds a street or part of a street dating from before what we may call the modern period, one is almost sure to see something pleasing and beautiful in its effect. ...It is the lack of beauty, of the amenities of life, more than anything else which obliges us to admit that our work of town building in the past century has not been well done.

– Town Planning in Practice, Raymond Unwin, 1909

(a) Intent. The intent of this Section is to encourage the creation of viable neighborhoods that interconnect with each other and integrate new projects into the existing community, thereby strengthening the original Town. The neighborhood layout should consider the street, lot and block pattern of the original Town, as well as solar orientation, topography, sensitive wildlife and vegetation, drainage patterns and environmental and regional climate issues. Further, the edges of neighborhoods should be formed by features shared with adjacent neighborhoods, such as major streets, changes in street pattern greenways or natural features such as streams and major drainage or riparian corridors. New streets, bikeways, sidewalks, paths, and trails should connect to existing adjacent neighborhoods.

(b) Neighborhood Structure. Following is a summary of essential elements to consider integrating into new neighborhoods:

(1) Street, sidewalk and trail connections within new neighborhoods that connect to adjacent existing neighborhoods and strengthen the connection to the existing Town.

(2) Streets that encourage pedestrian activity by creating an inviting atmosphere through attention to the details of landscaping and tree locations, sidewalks, lighting and the building architecture, etc.

(3) A mixed-use neighborhood center located for easy access.

(4) A variety of housing types, sizes, densities and price range that are well integrated.

(5) A variety of land uses that are well-integrated and a transition of intensity. Nonresidential uses, larger buildings and attached multi-family housing should be encouraged to be located near commercial centers with a transition to smaller buildings closer to low-density neighborhoods.

(6) Pedestrian and bike connections throughout residential neighborhoods and linked to neighborhood commercial or civic centers and open space systems.

(7) Parks, open space, public plaza and greens that are the focus of and well-integrated into the neighborhood.

(8) Street trees placed in new developments at regular intervals of forty (40) feet and placed directly adjacent to sidewalks. See Figure 2-19 at Section 16-2-460 of this Article.

(9) Architectural, landscaping and site design elements of new developments as outlined in this Article.

(c) General Provisions. The following principles are contained in the original "downtown" of Milliken.^a The Comprehensive Plan identifies them as contributing to the community's small-town character. **Although the size of individual development proposals will vary, projects will be evaluated with consideration to these neighborhood design principles and the context within which a project is located. Failure to incorporate these design principles into a project may be cause for denial of the project by the Board of Trustees.**

^a These principles were adapted from *Rural by Design*, Randall Arendt, 1994.

(1) Each Neighborhood Has a Center and an Edge. It is important that every neighborhood have activity centers that draw people together. Use natural and manmade features such as a drainageway, major roadways and ditches, to define neighborhood edges. Buildings or other features located at gateways entering a neighborhood shall mark the transition into and out of the neighborhood in a distinct fashion using massing, additional height, contrasting materials and/or architectural embellishments to obtain this effect.

(2) Mix of Types of Dwelling Units. A mix of dwelling unit types shall be distributed throughout the development. (Refer to Division 6 of this Article for additional housing requirements and Section 16-2-835 of this Code for illustrations of housing styles that the Town is encouraging.)

(3) Focal Points. Focal points, or points of visual termination, shall generally be occupied by more prominent, monumental buildings and structures that employ enhanced height, massing, distinctive architectural treatments or other distinguishing features, as well as landscape features. See Figure 2-1.

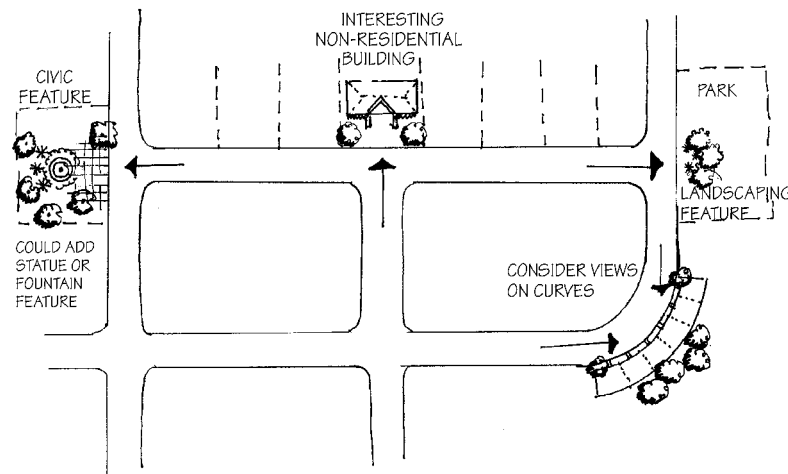


Figure 2-1

(4) Public Space as Development Framework. Public space is used to organize blocks and circulation patterns and to enhance surrounding development. Public open space must be functional and easily accessible and shall be designed to organize the placement of buildings to create an identity for each neighborhood. Buildings should face public open space to allow for casual surveillance.

(5) Design Streets as Public Spaces.

a. Buildings shall define streets through the use of relatively uniform setbacks along each block. The streetscape shall also be reinforced by lines of shade trees planted in the right-of-way landscape strip and may be further reinforced by walls, hedges, landscaping or fences which define front yards. (Refer to 16-2-835 of this Article for illustrations of streetscapes.)

b. On a lot with multiple buildings, those located on the interior of the site shall relate to one another both functionally and visually. A building complex may be organized around features such as courtyards, greens or quadrangles, which encourage pedestrian activity and incidental social interaction. Smaller, individualized groupings of buildings are encouraged. Buildings shall be located to allow for adequate fire and emergency access.

(6) Order Rather Than Repetition. The orderly arrangement of design elements can unify a space even when the elements are not the same. The location of sidewalks relative to streets, building setbacks and orientation, and the placement of trees can all help create an overall impression of unity even though each home or building has a distinct character.

(7) Use Human Proportion. Buildings shall be considered in terms of their relationship to the height and massing of adjacent buildings, as well as in relation to the human scale. (In a small town, this means generally one-story, two-story and three-story buildings.)

(8) Define the Transition Between the Public and Private Realm. Buildings shall be located to front towards and relate to public streets or parks, both functionally and visually, to the greatest extent possible. Wherever possible, buildings shall not be oriented to front towards a parking lot.

(9) Encourage Walking and Bicycling. Sites shall be designed to minimize conflicts between vehicles, bicycles and pedestrians. Pedestrian and bicycle access and connections shall be designed to make it safe and easy to get around on foot and by bicycle.

(10) Neighborhoods Shall Have a Mix of Activities Available Rather Than a Purely Residential Land Use. Neighborhood residents shall have convenient access to parks, schools, open space, trails and services. The optimum size of a neighborhood is one-quarter ($\frac{1}{4}$) mile from center to edge.

(11) Fit Within the Environment Rather Than on Top of It. New developments shall be designed to respond to the natural environment, fit into the setting and protect scenic view corridors. Key design considerations shall include a site layout that responds to natural features both on- and off-site, the size of structures and materials used in the development and the transition between the development and the surrounding landscape.

(12) Encourage a Range of Residents in Every Neighborhood. Housing types and the size of lots shall be varied to enable people to remain in the neighborhood as their needs change. (Refer to Section 16-2-835 of this Article for illustrations of architectural styles that the Town is encouraging.)

(13) Housing Types and Styles That Reflect the Architecture of the Region. Familiar architectural styles shall play an important role in developing an architectural identity for neighborhood dwellings. New homes shall be designed consistent with the architectural principles outlined in Division 6 of this Article. (Ord. 480 §2.6, 2003)

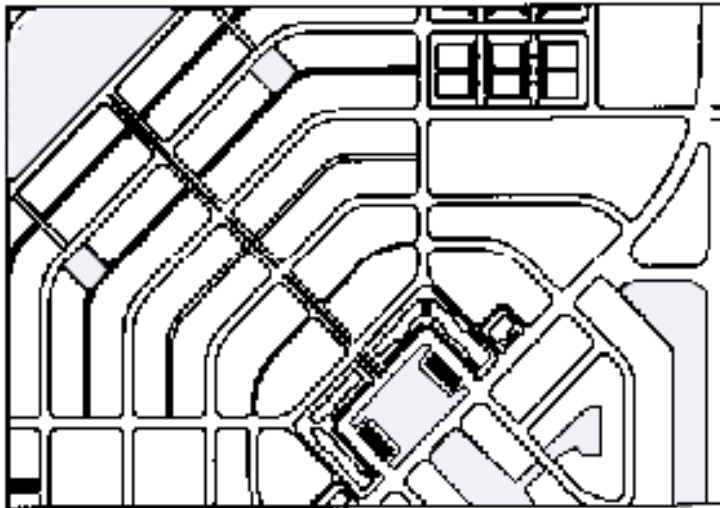
Sec. 16-2-40. Lots and blocks.

(a) Intent. The intent of the block and lot standards is to continue Milliken's existing block pattern in a manner that is compatible with site-specific environmental conditions.

(b) General Provisions.

(1) Blocks (Exclusive of Rural Subdivisions). Streets shall be designed to create blocks that consider interconnectedness, topography, solar orientation, views and other design features. The length of blocks in "Old Town" is typically four hundred (400) feet. (Refer to Figure 2-3 for an example.) Thus, to the greatest extent possible, blocks shall be designed to have a length of between three hundred (300) feet and seven hundred (700) feet (nonresidential streets). The lengths, widths and shapes of blocks shall be determined with due regard to the following:

- a. Provision of adequate building sites suitable to the special needs of the type of use contemplated.
- b. Need for convenient access, control and safety of vehicular and pedestrian traffic circulation.
- c. Limitations and opportunities of topography.



Example of modified grid pattern

Figure 2-2



MILLIKEN OLD TOWN

Figure 2-3

(2) Lot Dimension and Configuration.

a. Lot size, width, depth, shape, and orientation and minimum building setback lines shall conform to Article III of this Chapter and shall facilitate the placement of buildings with sufficient access, outdoor space, privacy and view.

b. Depth and width of properties shall be adequate to provide for off-street parking, landscaping and loading areas required by the type of use and development contemplated.

c. Lot Frontage. All lots shall have frontage that is either adjacent to or directly accessible to a street. Street frontage shall typically not be less than twenty-five percent (25%) of the lot depth. Flag lots are prohibited unless otherwise approved by the Board of Trustees.

d. Corner Lots. Corner lots for residential use shall have extra width to accommodate side elevation enhancements, such as porches and bay windows, the required building setback and utility easements on both street frontages. For a corner lot, the front of the lot is defined as the side having the shortest street frontage. In the case of a reverse corner lot, both sides abutting a street shall maintain a front yard setback. See Figure 2-4.

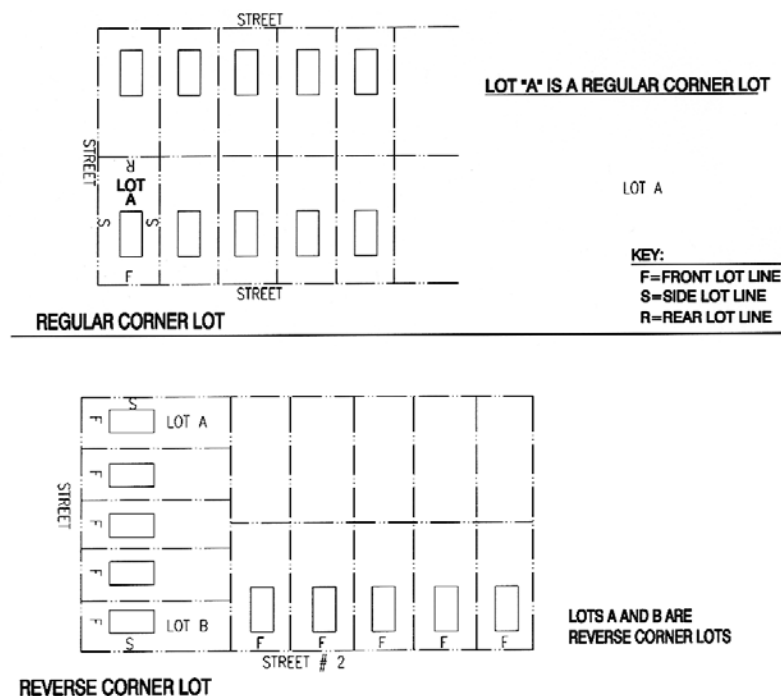


Figure 2-4

e. Double Frontage. Double frontage lots for residential shall not be permitted except where essential to provide separation of residential properties from arterial streets or commercial uses, or to overcome specific disadvantage of topography and orientation. A planting screen easement of at least ten (10) feet in width, across which there shall be no vehicular right of access, may be required along the property line of lots abutting an arterial or other disadvantageous use. See Figure 2-5.

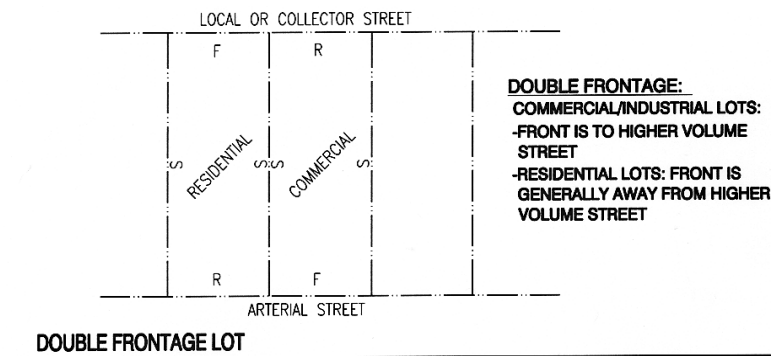


Figure 2-5

f. Side Lot Lines. Side lot lines shall be substantially at right angles or radial to road right-of-way lines or centerlines.

g. Residential Lots Adjacent to Arterial Streets. When residential lots are adjacent to, and the houses do not face, an arterial street (i.e., rear yards abut the street), they shall be a minimum of one hundred fifty (150) feet deep and direct access to the street shall be prohibited, except for nonconforming situations on unplatted parcels. The setback to the house shall be a minimum of seventy-five (75) feet. When houses face the arterial street or are side-loaded relative to the street, the front or side setback to the house, respectively, shall be a minimum of fifty (50) feet. These setbacks do not apply for mixed-use dwelling units in the MU-C-D and MU-C-H Districts. Additional buffering techniques must also be applied such as those outlined in Section 16-2-480 of this Article.

h. Residential Lot Access to Adjacent Street.

1. Driveway access to a local or collector street from a single-family detached residential lot shall be limited to one (1) driveway curb cut or driveway access of no greater than twenty (20) feet in width. A circular drive in which each access to the local or collector street is less than ten (10) feet in width, separated by at least thirty (30) feet and which is constructed as an integral part of the overall architectural design of the single family residence, may be considered as a single driveway access.

2. Driveway access to a local street from a single-family detached residential lot shall be greater than fifty (50) feet (except for reduced width lots in R-1A and Mixed Use Zones) from the intersection of the local street and a collector street or one hundred twenty-five (125) feet from the intersection of the local street and an arterial street, as measured from the intersecting right-of-way lines.

3. Driveway access to a collector street from a single-family detached residential lot shall be greater than one hundred twenty-five (125) feet from the intersection of the collector street and a local street, another collector street or an arterial street as measured from the intersecting right-of-way lines.

i. Multi-Family Residential, Commercial, Business and Industrial Lot Access to Adjacent Street.

1. Driveway access to a local or collector street from a multi-family residential, commercial, business or industrial lot shall be greater than one hundred twenty-five (125) feet from any street intersection as measured from the intersecting right-of-way lines;

2. Driveway access to an arterial street from a commercial, business or industrial lot shall be not less than two hundred fifty (250) feet from any intersection on the arterial street, or from another commercial, business or industrial lot's access as measured from the intersecting right-of-way lines, or driveways; or

3. At the sole option of the Town, driveway access to a local street, collector street or arterial street from a multi-family residential, commercial, business or industrial lot shall be as determined by a traffic study approved by the Town. (Ord. 480 §2.7, 2003)

*Division 2
Street Standards*

There is magic to great streets. We are attracted to the best of them not because we have to go there but because we want to be there.

– Great Streets, Alan B. Jacobs

Sec. 16-2-110. Intent.

The intent of the street standards is to establish a safe, efficient, attractive transportation system that promotes all modes of transportation and is sensitive to the environment. In the recent past, streets have been designed primarily to promote the efficient movement of traffic. However, streets have multiple functions, as stated in "Performance Streets" (Bucks County, 1980).

It was often forgotten that residential streets become part of the neighborhood and are eventually used for a variety of purposes for which they were not designed. Residential streets provide direct auto access for the occupant to his home; they carry traffic past his home; they provide a visual setting, and entryway for each house; a pedestrian circulation system; a meeting place for the residents; a play area (whether one likes it or not) for the children, etc. To design and engineer residential streets solely for the convenience of easy automobile movement overlooks the many overlapping uses of a residential street.

*Residential Streets, American Society of Civil Engineers, National
Association of Home Builders,
The Urban Land Institute, 1990*

(Ord. 480 §2.8, 2003)

Sec. 16-2-115. General provisions.

The local street system of any proposed development shall be designed to be safe, efficient, convenient and attractive, and consider the use by all modes of transportation that will use the system. Streets should be an inviting public space and an integral part of community design. Local streets shall provide for both intra- and inter-neighborhood connections to knit developments together, rather than forming barriers between them. All streets should interconnect to help create a comprehensive network of public areas to allow free movement of cars, bicycles and pedestrians. (Ord. 480 §2.8, 2003)

Sec. 16-2-120. Street construction and layout.

(a) Street Connections. All streets shall be aligned to join with planned or existing streets consistent with the approved Milliken Transportation Master Plan Map. All streets shall be designed to bear a logical relationship to the topography of the land. Intersections of streets shall be at right angles unless otherwise approved by the Town. Street intersections shall be separated by not less than one hundred twenty-five (125) feet as measured from the intersecting right-of-way lines.

(b) Tree-Lined Streets. All streets shall be lined with trees on both sides, with the exception of rural roads and alleys.

(c) Street Layout. The street layout shall form an interconnected system of streets primarily in a grid or modified pattern adapted to the topography, unique natural features, environmental constraints and peripheral open space areas. The street layout shall emphasize the location of neighborhood focus points, other internal open space areas, gateways and vistas. The use of cul-de-sacs and other roadways with a single point of access shall be minimized. The integration of traffic-calming features within and adjacent to residential areas shall be utilized when appropriate. To the greatest extent possible, streets shall be designed to have a maximum length of seven hundred (700) feet, from intersection to intersection.

(d) Controlling Street Access. A strip of land between a dedicated street and adjacent property shall not be reserved for the purpose of controlling access to such street from such property.

(e) Visibility at Intersections. No shrubs, ground cover, berms, fences, structures or other materials or items greater than thirty (30) inches in height shall be planted, created or maintained at street intersections within the site distance triangle. Trees shall not be planted in the site distance triangle.

(f) Pedestrian Crossings at Street Intersections and Mid-Block Crossings. Pedestrian crossings shall be accessible to handicapped individuals, and mid-block crossings may be required at the direction of the Board of Trustees. (Ord. 480 §2.8, 2003)

Sec. 16-2-125. Alignment.

(a) Horizontal Alignment. Horizontal alignment shall provide for the safety of pedestrians, bicyclists and motorists. The street pattern shall be the most advantageous to serve the adjoining areas. When possible, proposed streets shall be continuous and in alignment with existing and proposed streets.

(b) Vertical Alignment. No vertical grade shall be less than four-tenths percent (0.4%) in order to facilitate adequate drainage. The maximum percent of street grade, except as approved by the Town Engineer, shall be five percent (5%). Street grades shall not exceed four percent (4%) for a distance extending at least forty (40) feet in each direction from a street intersection. (Ord. 480 §2.8, 2003)

Sec. 16-2-130. Access and dedication.

(a) Access. Access to all subdivisions shall be from a public street system. Driveways shall not be permitted to have direct access to arterials or state highways (principal arterials).

(b) Street Right-of-Way Dedication. The full width of right-of-way for all streets being platted must be dedicated to the Town. In cases where the perimeter streets have a portion of the proposed right-of-way on an adjacent property, the following standards will apply:

(1) The subdivider shall either:

a. Purchase the other one-half ($\frac{1}{2}$) of the proposed right-of-way property for the Town at the appraised fair market value and then dedicate the right-of-way to the Town; or

b. If the landowner of the proposed right-of-way property is unwilling to sell the proposed right-of-way property to the subdivider for its appraised fair market value, pay for the cost of an appraisal for the proposed right-of-way property and legal fees for the Town Attorney to complete the condemnation process. The subdivider may enter into a reimbursement agreement with the Town to recover costs.

(2) The subdivider shall finalize an agreement with the Town which guarantees the construction of the street to Town standards.

(c) Perimeter Streets. When a street is dedicated which ends on the plat, the street right-of-way must be dedicated to the boundary of the plat. (Ord. 480 §2.8, 2003)

Sec. 16-2-135. Intersections.

Intersections shall meet the following requirements unless otherwise approved by the Board of Trustees:

(1) Intersections shall be provided at the following minimum offsets:

a. State highway (principal arterial): In accordance with the State Highway Access Code.

b. Arterial: Six hundred sixty (660) feet.

c. Collector: Two hundred fifty (250) feet.

d. Local: One hundred twenty-five (125) feet.

(2) No more than two (2) streets shall intersect at one (1) point.

(3) Streets shall intersect at ninety-degree angles, unless otherwise approved by the Board of Trustees. (Ord. 480 §2.8, 2003)

Sec. 16-2-140. Street names.

Names of new streets shall not duplicate names of existing streets. However, new streets which are extensions of, or which are in alignment with, existing streets shall bear the names of such streets. The Town must review and approve all street, park and recreation names. (Ord. 480 §2.8, 2003)

Sec. 16-2-145. Minimum design standards.

The width of street right-of-way and the design of the street it contains shall conform to the minimum standards set forth below. However, additional right-of-way and street width may be required based upon special development requirements, including but not limited to additional parking needs, sight distances and requirements for auxiliary lanes. Street cross-sections and the street designation (arterial, collector, local, rural local) within or adjacent to a development may be modified by the Town upon the recommendation of an approved development traffic study or Milliken Transportation Master Plan. (Ord. 480 §2.8, 2003)

Sec. 16-2-150. General design standards.

(a) Where curb and gutter is required, it shall be constructed per the Colorado Department of Transportation specifications.

(b) Design of streets shall be in accordance with the Americans with Disabilities Act (ADA) standards.

(c) Streets shall be designed in accordance with the American Association of State Highway and Transportation Officials *Policy on Geometric Design of Highways and Streets*, 1990.

(d) The layout of arterial and collector streets shall be per the Milliken Transportation Plan, unless otherwise directed by the Board of Trustees.

(e) Where future extension of a street is anticipated, a temporary turnaround having a minimum outside diameter of one hundred ten (110) feet shall be provided.

(f) The maximum allowable length of closed-end streets (cul-de-sacs) in single-family residential and multi-family residential developments shall be six hundred (600) feet unless otherwise approved by the Board of Trustees. (Ord. 480 §2.8, 2003)

Sec. 16-2-155. Arterial streets.

(a) State Highways (Principal Arterial Design). Right-of-way and road design shall be in accordance with the Colorado Department of Transportation standards.

(b) Arterial Streets Design.

(1) Arterials shall be at one-mile intervals in both north-south and east-west directions, as illustrated on the Milliken Transportation Master Plan Map.

(2) Arterials shall be designed to accommodate present and future transportation requirements.

(3) Arterial streets shall align and connect across intersecting arterials to distribute traffic and provide continuity.

(4) Typical Adjacent Land Uses.

a. Business parks.

b. Community commercial.

c. District and community parks.

d. High-density residential land uses should be located near arterials with minimal travel through other land uses.

e. Industrial developments should have highway access via the Town's arterial street system with minimal travel through other land uses.

f. When residential lots are adjacent to and the houses do not face an arterial street, they shall be a minimum of one hundred fifty (150) feet deep and direct access to the street shall be limited. The setback to the house shall be a minimum of seventy-five (75) feet. Additional buffering techniques must also be applied such as those outlined in Section 16-2-480 of this Article.

(5) Right-of-way requirements: Major Arterial (see Figure 2-6).

a. One hundred fourteen (114) feet of right-of-way.

b. Seventy-six-foot flowline width which includes: four (4) twelve-foot travel lanes, one (1) sixteen-foot median and two (2) six-foot on-street bike lanes.

c. Two (2) nine-foot tree lawns.

d. Two (2) ten-foot sidewalks.

e. Posted speed limit shall be between thirty-five (35) and forty-five (45) miles per hour.

(6) Right-of-way requirements: Minor Arterial (see Figure 2-7).

a. Ninety (90) feet of right-of-way.

b. Fifty-two-foot flowline width which includes: two (2) fourteen-foot travel lanes, one (1) twelve-foot two-way left turn lane and two (2) six-foot on-street bike lanes.

- c. Two (2) nine-foot tree lawns.
- d. Two (2) eight-foot sidewalks.
- e. Posted speed limit shall be between thirty-five (35) and forty-five (45) miles per hour. (Ord. 480 §2.8, 2003)

Sec. 16-2-160. Collector streets.

(a) Within each one (1) mile arterial segment, collector streets shall divide the north-south and east-west arterials at approximately the half-mile point, as illustrated on the Milliken Transportation Master Plan Map.

(b) Intersections of collector streets and arterial streets shall be aligned to distribute traffic and provide continuity for bike routes.

(c) Typical adjacent land uses:

- (1) Agriculture.
- (2) Business parks.
- (3) Community parks.
- (4) Industrial.
- (5) Low-, medium- and high-density residential.
- (6) Middle and high schools.
- (7) Neighborhood commercial.

(d) Right-of-way requirements for residential collector with parking (see Figure 2-8):

- (1) Seventy-eight (78) feet of right-of-way.
- (2) Fifty-foot flowline width which includes: two (2) twelve-foot travel lanes, two (2) five-foot on-street bike lanes and two (2) eight-foot parking lanes.
- (3) Two (2) nine-foot tree lawns.
- (4) Two (2) five-foot sidewalks.
- (5) Posted speed limit shall be thirty (30) miles per hour.

(e) Right-of-way requirements for major collector without parking (see Figure 2-9):

- (1) Seventy-six (76) feet of right-of-way.
- (2) Forty-eight-foot flowline width which includes: two (2) twelve-foot travel lanes, one (1) twelve-foot center left-turn lane, two (2) six-foot on-street bike lanes.
- (3) Two (2) nine-foot tree lawns.
- (4) Two (2) five-foot sidewalks.
- (5) Posted speed limit shall be thirty (30) miles per hour. (Ord. 480 §2.8, 2003)

Sec. 16-2-165. Local streets.

(a) Local streets shall generally follow a modified grid pattern adapted to the topography, unique natural features, environmental constraints and peripheral open space areas. These streets shall generally parallel the arterial and collector street system, provide a variety of route options, interconnect to allow traffic to disperse in an equitable manner and be as narrow as possible without sacrificing the ability to accommodate expected traffic and services.

(b) Local streets must provide for both intra- and inter-neighborhood connections to knit developments together, rather than forming barriers between them.

(c) Typical adjacent land uses:

- (1) Business parks.
- (2) Elementary schools.
- (3) Pocket parks.
- (4) Neighborhood parks.
- (5) Residential.

(d) Right-of-way requirements for local with detached sidewalk (see Figure 2-10):

- (1) Fifty-eight (58) feet of right-of-way.
- (2) Thirty-six-foot flowline width which includes: two (2) ten-foot travel lanes and two (2) eight-foot parking lanes.
- (3) Two (2) six-foot tree lawns.
- (4) Two (2) five-foot sidewalks.

- (5) Posted speed limit shall be twenty-five (25) miles per hour.
- (6) Cul-de-sac: One-hundred-foot diameter flowline and one-hundred-twenty-four-foot diameter right-of-way.
- (e) Right-of-way requirements for local with attached sidewalk (see Figure 2-11):
 - (1) Sixty (60) feet of right-of-way.
 - (2) Thirty-six-foot flowline width which includes: two (2) ten-foot travel lanes and two (2) eight-foot parking lanes.
 - (3) Two (2) six-foot attached curb walks (this includes curb, transition and walk).
 - (4) Two (2) six-foot tree lawns.
 - (5) Posted speed limit shall be twenty-five (25) miles per hour.
 - (6) Cul-de-sac: One-hundred-foot diameter flowline and one-hundred-twenty-four-foot diameter right-of-way. (Ord. 480 §2.8, 2003)

Sec. 16-2-170. Rural local street.

- (a) Rural local streets are intended to serve areas defined as *rural subdivisions* in appropriate rural locations as approved by the Board of Trustees.
- (b) A driveway access crossing the borrow ditch of a rural local street shall contain a culvert of sufficient size to safely pass the designed stormwater drainage flows. A portion of the borrow ditch may fall outside of the rural local road right-of-way in order to obtain a borrow ditch cross-section sufficient to contain the designed stormwater flows and/or to be sufficient in depth for the driveway access culvert.
- (c) Typical adjacent land uses:
 - (1) Agriculture.
 - (2) Rural subdivisions.
- (d) Right-of-way requirements for rural local (see Figure 2-12):
 - (1) Sixty (60) feet of right-of-way.
 - (2) Twenty-four (24) feet of asphalt pavement which includes: two (2) twelve-foot travel lanes.
 - (3) Two (2) four-foot paved shoulders.
 - (4) Two (2) fourteen-foot borrow ditches.

(5) Posted speed limit shall be twenty-five (25) miles per hour.

(6) Cul-de-sac: One-hundred-foot diameter flowline and one-hundred-thirty-six-foot diameter right-of-way. (Ord. 480 §2.8, 2003)

Sec. 16-2-175. Alleys.

(a) Alleys shall be treated as public ways, and any lot having access from an alley shall also front upon a public street.

(b) Garages, accessory dwellings above garages and rear yards may access the collector and local street system via an alley with minimal travel through other land uses.

(c) Typical adjacent land uses:

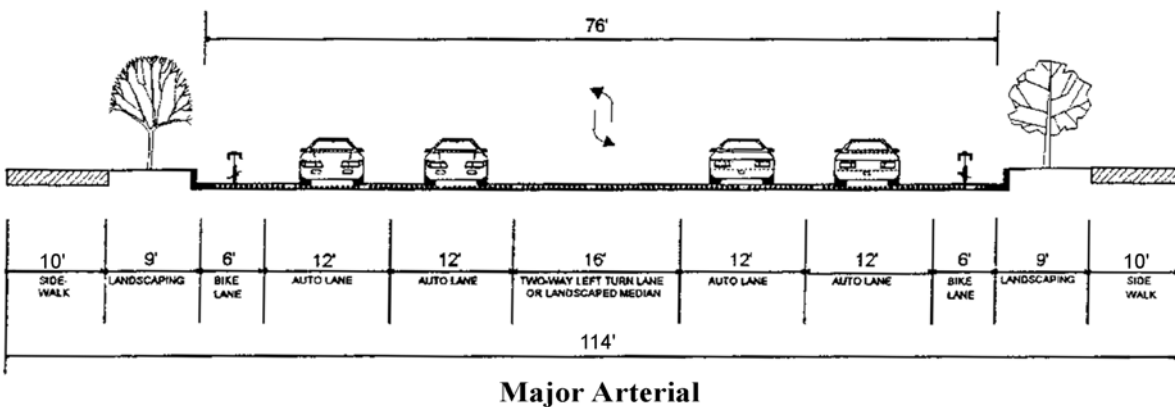
- (1) Accessory units above garages.
- (2) Garages.
- (3) Parking lots with landscaped edges.
- (4) Rear yards.

(d) Right-of-way requirements for residential alley (see Figure 2-13):

- (1) Twenty (20) feet of right-of-way.
- (2) Twenty (20) feet of pavement width.

(e) Right-of-way requirements for commercial/industrial alley (see Figure 2-13):

- (1) Twenty (20) feet of right-of-way.
- (2) Twenty (20) feet of pavement width.



Major Arterial

Figure 2-6

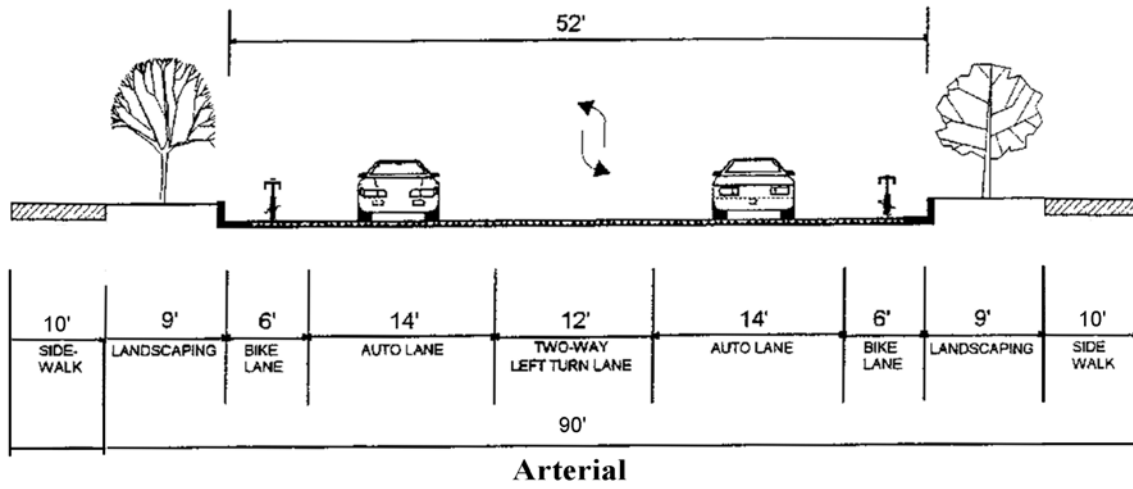


Figure 2-7

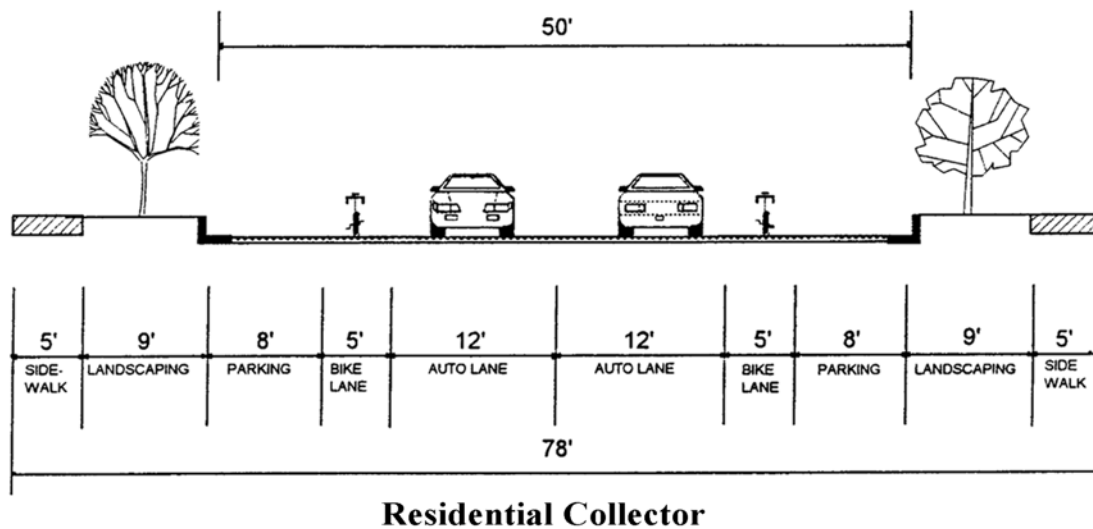


Figure 2-8

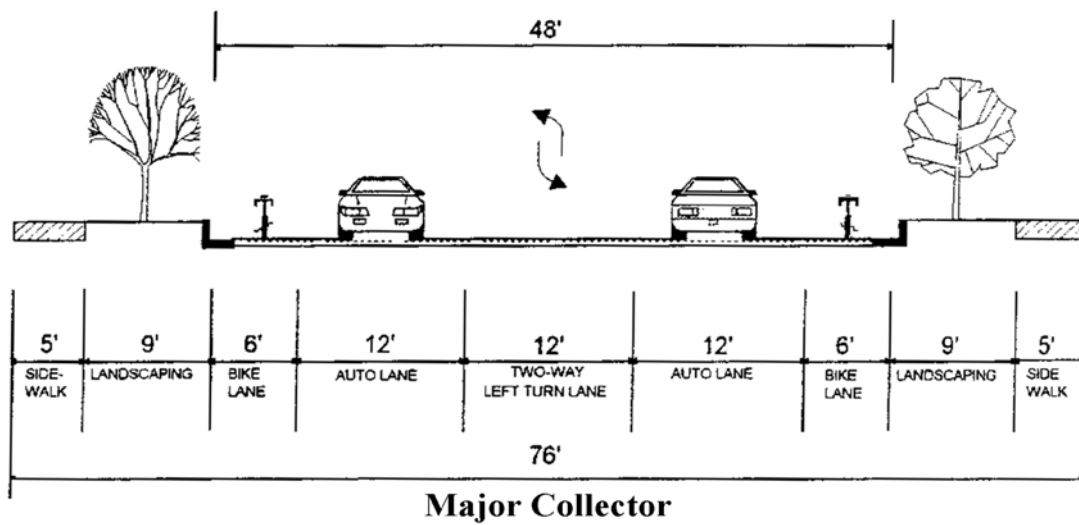


Figure 2-9

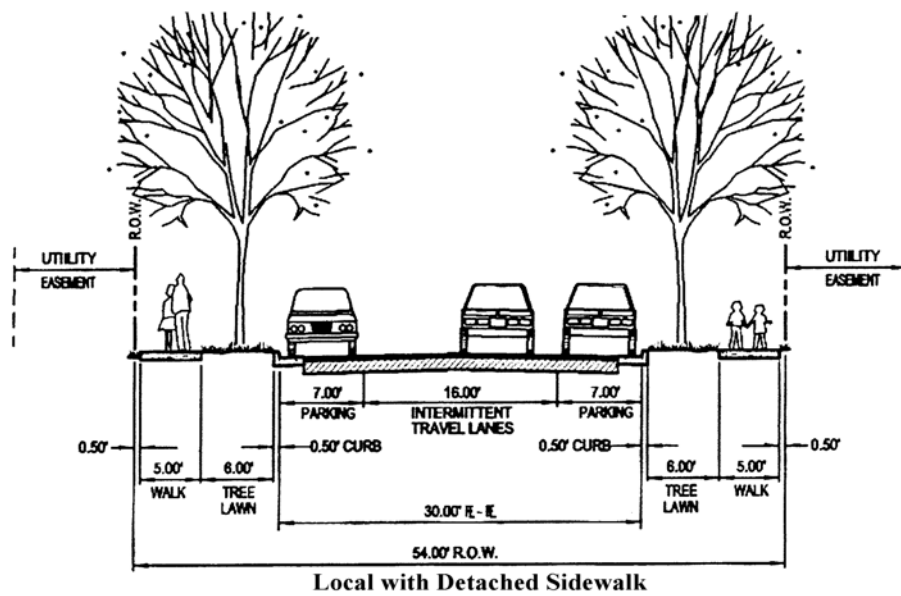
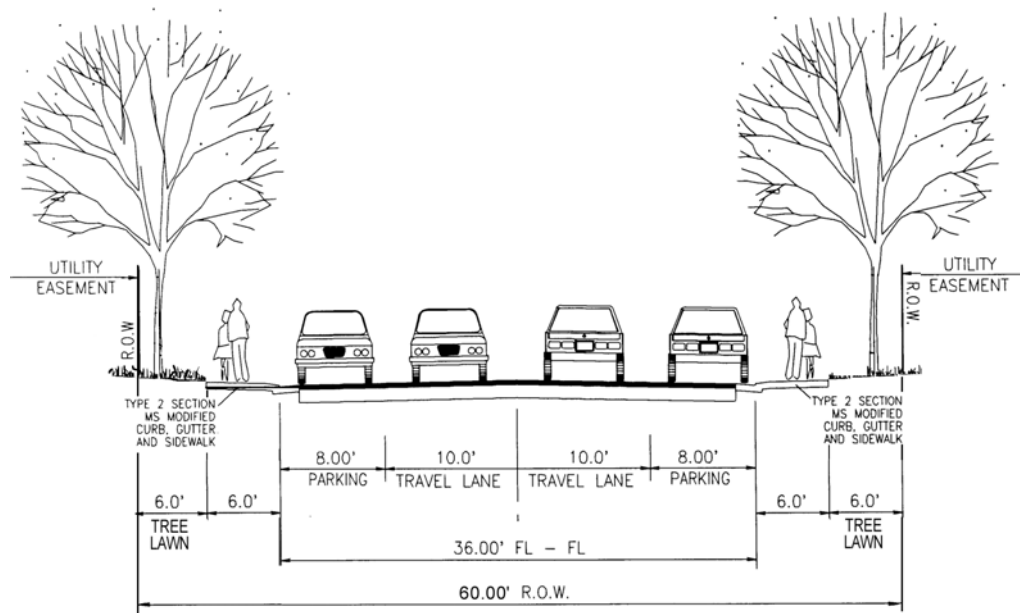
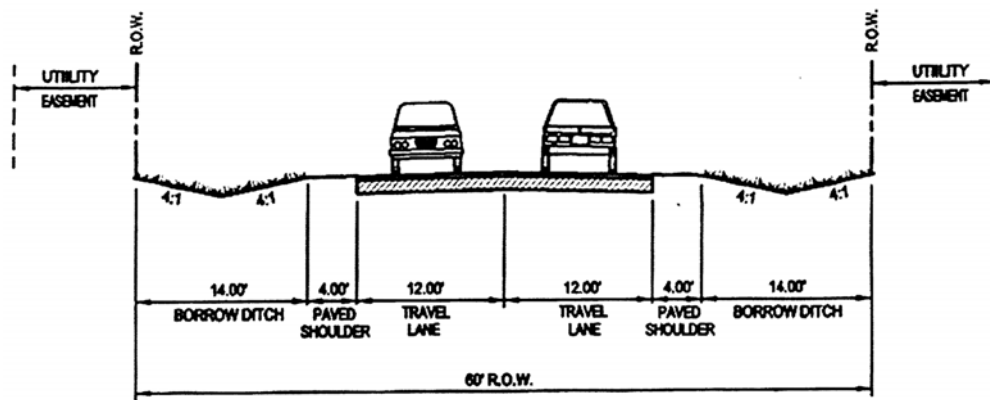


Figure 2-10



Local

Figure 2-11



Rural Local

Figure 2-12

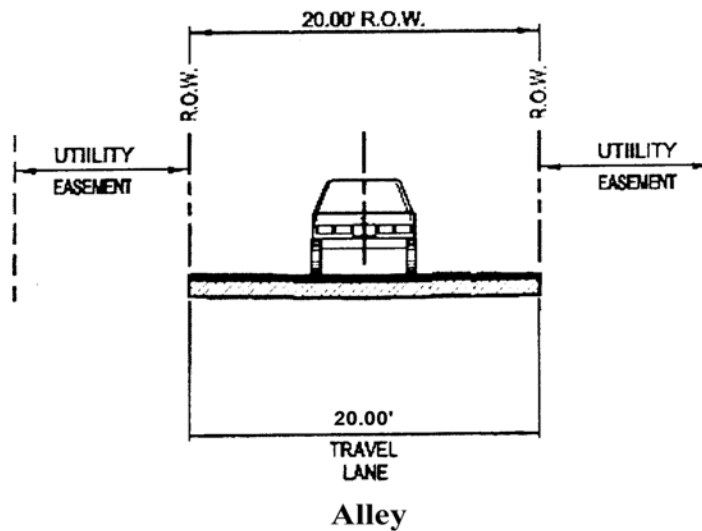


Figure 2-13

Division 3
Parking

Sec. 16-2-210. Intent.

The intent of this Division is to provide adequate parking for motor vehicles while minimizing the visual impact of parking lots and structures. (Ord. 480 §2.9, 2003)

Sec. 16-2-215. General provisions.

(a) Provide Off Street Parking. In all zone districts, off-street parking facilities for the storage of self-propelled motor vehicles for the use of occupants, employees and patrons of the building or structures hereafter erected, altered or extended shall be provided and maintained as herein prescribed.

(b) Provide Adequate Parking. If the use contemplated is not described in the required parking tables, the applicant must demonstrate that the parking as planned will be adequate to serve the needs of the proposed development.

(c) Provide Additional Parking. At the time a property changes use, the applicant must demonstrate that the existing parking is adequate to serve the proposed use. It shall be the responsibility of the new user to provide additional parking if the existing parking does not meet the needs of the proposed use.

(d) Surface. All parking and driveway areas and primary access to parking facilities shall be surfaced with asphalt, concrete or similar materials. The Board of Trustees, on a case-by-case basis, may consider grass-crete or similar porous pavement.

(e) Integrate parking lots with surroundings. Parking lots shall not dominate the frontage of pedestrian-oriented streets, interfere with designated pedestrian routes or negatively impact surrounding neighborhoods. The pedestrian character of streets and buildings shall be maximized through continuity of buildings and landscape frontage.

(f) Location. Parking lots shall be located to the rear or side of buildings or in the interior of a block whenever possible.

(g) Landscaping. Parking lots shall be landscaped, screened and buffered as provided in Sections Division 5 and 6 of this Article.

(h) Share-access. Where feasible, parking lots shall share access drives with adjacent property with similar land uses.

(i) Off-street parking design. Any off-street parking area shall be designed so that vehicles may exit without backing onto a public street unless no other practical alternative is available. Off-street parking areas shall be designed so that parked vehicles do not encroach upon or extend onto public rights-of-way or sidewalks or strike against or damage any wall, vegetation, utility or other structure.

(j) Circulation area design. Circulation areas shall be designed to facilitate the safe movement of vehicles without posing a danger to pedestrians or impeding the function of the parking area.

(k) Lighting. All parking area lighting shall be full cut-off type fixtures. Any light used to illuminate parking areas or for any other purpose shall be so arranged as to reflect the light away from nearby residential properties and away from the vision of passing motorists.

(l) Shared off-street parking. When there are opportunities to support parking demand through shared off-street parking for compatible uses (such as a movie theater and an office building), a parking study and shared parking agreements shall be used to demonstrate the adequacy of the parking supply as a substitute for standard parking requirements.

(m) Adjacent on-street parking in MU-C-D Mixed-Use District. In order to promote a pedestrian scale and encourage a perception of safety in the MU-C-D, Mixed Use District, parking may be satisfied using adjacent on-street parking or shared rear-lot parking areas. A parking study and shared parking agreements shall be used to demonstrate the adequacy of the parking supply as a substitute for standard parking requirements. (Ord. 480 §2.9, 2003)

Sec. 16-2-220. Paved off-street parking requirements.

(a) Paved off-street parking in nonresidential zones shall be provided according to the minimum requirements as specified below:

Nonresidential Off-Street Parking Minimum Requirements	
Land Use Type	Number of Parking Spaces Required
Industrial uses	.75 space per employee
Lodging uses	1 space per unit
Long-term care uses	.33 space per bed
Medical offices	4 spaces per 1,000 sq. ft.
Offices	3 spaces per 1,000 sq. ft.
Personal service uses	4 spaces per 1,000 sq. ft.
Restaurants	
Fast food	15 spaces per 1,000 sq. ft.
Standard	10 spaces per 1,000 sq. ft.
Retail	4 spaces per 1,000 sq. ft.
Theaters, places of assembly	1 space per 3 seats

Off-street parking for commercial uses shall be sufficient to provide parking for employees of all proposed uses, as well as long-term customer parking. Spaces reserved for employees shall be designated as such by means of striping and signage. Parking shall be located at the rear and sides of buildings to the greatest extent possible and screened from the view of streets as provided by Section 16-2-480 of this Article.

(b) Parking for nonresidential land uses shall generally be required in the downtown area as shown in the following chart, but may be waived or reduced, depending on the nature of the proposed land use(s):

Nonresidential Off-Street Parking Standards	
Land Use Type	Number of Parking Spaces Required
Auto repair, low intensity retail, work shops	2 spaces per 1,000 sq. ft.
Banks, financial institutions	3 spaces per 1,000 sq. ft.
Bars, taverns, nightclubs	10 spaces per 1,000 sq. ft.
Grocery, supermarket	6 spaces per 1,000 sq. ft.
Child care	1 space per 8 students + 1 space per employee
Churches	1 space per 4 seats
Convenience store with gasoline sales	1 space per island + 1 space per 150 sq. ft.
Hospitals	1 space per bed
Industrial uses	.75 space per employee
Lodging uses	1 space per unit
Long-term care uses	.33 space per bed
Medical offices	4 spaces per 1,000 sq. ft.
Offices	3 spaces per 1,000 sq. ft.
Personal service uses	4 spaces per 1,000 sq. ft.
Restaurants	
Fast food	15 spaces per 1,000 sq. ft.
Standard	10 spaces per 1,000 sq. ft.
Retail	4 spaces per 1,000 sq. ft.
Theaters, places of assembly	1 space per 3 seats

Note: Square footage is based upon gross floor area of the related buildings.

Note: If the number of parking spaces required results in a fractional space, any fraction shall be counted as one (1) additional parking space.

(c) Parking for residential land uses shall be required as follows:

Residential Off-Street Parking Standards	
Unit Type	Number of Parking Spaces Required
Single-family, town home and two-family unit	2.00 spaces per unit (in driveway)
Multi-family studio or efficiency unit	1.25 spaces per unit
Multi-family one-bedroom unit	1.50 spaces per unit
Multi-Family two-bedroom unit	1.75 spaces per unit
Multi-family three-bedroom unit	2.00 spaces per unit
Multi-family four + bedroom unit	3.00 spaces per unit
Guest parking for multi-family units, in addition to required resident parking	1 space per 5 units

(Ord. 480 §2.9, 2003)

Sec. 16-2-225. Location of spaces.

(a) Off-street parking facilities for residential uses shall be provided and located on the same lot as the building they are intended to serve.

(b) Required off-street parking in residential zones shall not lie within the front yard setback nor within any required side yard setback adjacent to a street. (Driveway spaces within these setbacks cannot be counted for required off-street parking.)

(1) The location of required off-street parking facilities for other than residential uses shall be within seven hundred (700) feet of the building they are intended to serve when measured from the nearest point of the building or structure.

(2) Except within a garage or in conjunction with an approved affordable housing project, tandem parking is not allowed to meet required off-street parking requirements.

(3) Garages or required off-street parking spaces shall be set back twenty-two (22) feet from the back of the sidewalk. (Ord. 480 §2.9, 2003)

Sec. 16-2-230. Handicap parking spaces.

Parking for the disabled shall be provided for multi-family and nonresidential land uses as required by the Americans with Disabilities Act (ADA) and shall be identified by an upright sign at least four and one-half (4½) feet in height. (Ord. 480 §2.9, 2003)

Sec. 16-2-235. Parking stall dimensions.

Parking stalls for automobiles shall meet the following standards. All dimensions represent the minimum requirement for any required parking space. Standard sized parking spaces in parking lots shall be nine (9) feet in width and nineteen (19) feet in length. The parking space length may be reduced to seventeen (17) feet if there is a landscaped area or sidewalk at least six (6) feet in width to provide a two-foot overhang, as long as wheel stops are provided and if the overhang does not negatively impact the adjacent landscaping or sidewalk. See Figure 2-14.

PARKING STALL DIMENSIONS					
Parking Angle (A)	Stall Width (B)	Stall to Curb (C)	Aisle Width (D)	Curb Length (E)	Overhang (F)
45°	9'	19'	13'	12' 8"	1' 5"
60°	9'	20'	13'	10' 5"	1' 8"
90°	9'	18'	24'	9'	2'
0°(parallel)	8'*	8'*	12'	24'	0'

*Except along local streets where 7' is permitted.

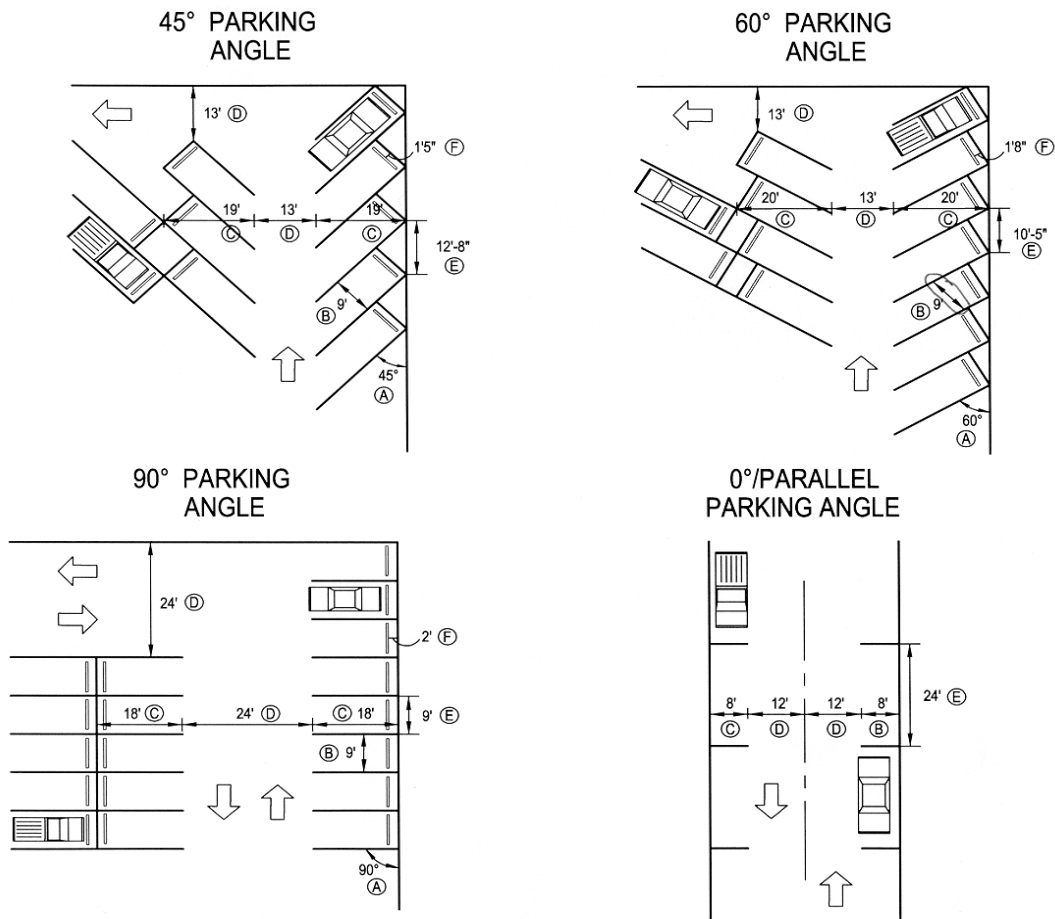


Figure 2-14

(Ord. 480 §2.9, 2003)

Sec. 16-2-240. Bicycle parking spaces.

Commercial, industrial, civic, employment, multi-family and recreational uses shall provide bicycle facilities to meet the following standards:

- (1) A minimum number of bicycle parking spaces shall be provided, equal in number to two percent (2%) of the total number of automobile parking spaces provided by the development, but not less than one (1) space.
- (2) For convenience and security, bicycle parking facilities shall be located near building entrances. Within downtown commercial areas, however, a grouping of spaces shall be utilized as directed by the Town.
- (3) Bicycle parking facilities shall be designed to allow the bicycle frame and both wheels to be securely locked to a parking structure which is permanently attached to the pavement.

(4) Bicycle parking facilities shall be designed so that they do not obstruct the flow of pedestrian, bicycle or vehicular traffic within the public way. (Ord. 480 §2.9, 2003)

Sec. 16-2-245. Parking restrictions for excess weight vehicles and recreational vehicles.

(a) The owner or operator of any vehicle weighing in excess of ten thousand (10,000) pounds, other than emergency vehicles, shall not park said vehicle on any public right-of-way or roadway except when making local deliveries, nor shall excess weight vehicles, boats, boat trailers, tractors, trailers, semi-trailers, motor homes, buses or detached/dismounted campers be parked or kept on private property for longer than seventy-two (72) hours, except as herein provided.

(b) No boat, boat trailer, tractor, trailer, semi-trailer, motor home, bus or detached/dismounted camper shall be kept or parked upon any public right-of-way, drainage way or roadway, except for visitation purposes not exceeding twenty-four (24) hours.

(c) All excess weight vehicles, boats, boat trailers, motor homes, buses or detached/dismounted campers kept or stored on private residential property for longer than seventy-two (72) hours shall be kept or stored in the rear yard screened from view, or within an enclosed building. No such vehicle shall be used for storage or as a business or residential premises.

(d) All excess weight vehicles, boats, boat trailers, tractors, trailers, semi-trailers, motor homes, buses or detached/dismounted campers kept or stored on private property for longer than seventy-two (72) hours shall be kept or stored in a yard screened from view or within an enclosed building. The property where storage occurs must be properly zoned for the use. No such vehicle shall be used for storage or as a business or residential premises.

(e) No mobile home may be located permanently or temporarily in any residential area unless said area is zoned for the same.

(f) Vehicles shall not be inhabited during storage. (Ord. 480 §2.9, 2003)

Division 4
Public Property

Sec. 16-2-310. Sidewalks, multi-use pathways and trails.

(a) Intent. The intent of the standards for sidewalks, multi-use pathways and trails is to assure a safe, convenient and attractive pedestrian/bicycle system that minimizes conflicts between vehicles, bicycles and pedestrians.

(b) General Provisions.

(1) Interconnected Network. A sidewalk network that interconnects all dwelling units with other dwelling units, nonresidential uses and common open space shall be provided throughout each development. Sidewalks shall be separate and distinct from motor vehicle circulation to the greatest extent possible. The pedestrian circulation system shall include gathering/sitting areas and provide benches, landscaping and other street furniture where appropriate.

(2) Sidewalks Required. In all zone districts, except for the DR, A, AE, CD, E-1 and R-1E Districts, sidewalks are required along both sides of a street. Within the AE, E-1 and R-1E Districts, sidewalks are required along one (1) side of the street.

(3) Sidewalk Width. Sidewalks shall be a minimum of five (5) feet wide along local streets; a minimum of five (5) feet wide along collector streets; and a minimum of ten (10) feet wide along arterial streets. A four-foot detached sidewalk is an acceptable sidewalk alternative if it is approved through the subdivision exception process. Sidewalks adjacent to storefronts in commercial areas shall be ten (10) to fifteen (15) feet in width, or consistent with the average sidewalk width on a block if building in an area with existing sidewalks.

(4) Sidewalk Location. Sidewalks shall be located within the right-of-way unless otherwise authorized by the Board of Trustees.

(5) Sidewalk Materials.

a. The acoustic, thermal, visual and tactile properties of sidewalk paving materials shall be appropriate to the proposed functions of pedestrian circulation. Sidewalks shall be constructed of concrete, brick, slate, colored/textured concrete pavers, concrete containing accents of brick or some combination thereof that is compatible with the style, materials, colors and details of the surrounding buildings. Asphalt shall not be used for sidewalks.

b. Sidewalks must be constructed of approved materials of sufficient strength to support light maintenance vehicles. If used as a secondary emergency access, sidewalks must also be able to support a fire truck (60,000 lbs.) Please refer to the *Town of Milliken Standards and Specifications* for additional sidewalk construction standards.

(6) Sidewalk Installation. Sidewalks and related improvements shall be installed or constructed by the subdivider in accordance with plans and specifications approved by the Town and, after installation or construction, they shall be subject to inspection and approval by the Town. All required improvements shall be completed in accordance with the officially established grades.

(7) Accessibility. Sidewalks and plazas shall be accessible to handicapped individuals. (Refer to Americans with Disabilities Act [ADA] requirements.)

(8) Walkways. Walkways through a subdivision block shall be not less than ten (10) feet in width, shall be within a dedicated right-of-way not less than twenty (20) feet in width, and shall be flanked with appropriate landscaping and lighting. Walkways along buildings and within parking lots shall be raised and curbed, where suitable. A direct pedestrian connection to building entries, public space and parking areas shall be provided from public sidewalks. Walkways shall be constructed of the same materials as sidewalks, except that walkways internal to asphalt-surfaced parking lots may be of asphalt construction. Walkways crossing driveways in parking lots shall be clearly delineated by a change in pavement color or texture or paint striping. Please refer to the *Town of Milliken Standards and Specifications* for additional sidewalk construction standards.

(9) Lighting. All sidewalks and other pedestrian walkways shall have appropriate lighting, using poles and fixtures consistent with the overall design theme for the development.

(10) Multi-use Pathways (Bikeways). Multi-use pathways shall be provided to link internal open space areas with peripheral open space areas and shall connect to multi-use pathway routes throughout the community. Multi-use pathway routes shall be designated between residential areas and commercial and employment centers and schools. Multi-use pathways on local streets may be delineated by painted "bicycle only" lanes. Sidewalks that may be used as a multi-use pathway are required on arterial and collector streets. All other multi-use pathways shall be a minimum of ten (10) feet wide and shall be of concrete construction or, where approved by the Board of Trustees, compressed gravel. Asphalt paving is prohibited. Bike racks shall be provided at the entry to internal and peripheral open space areas.

(11) Trails. Trails shall be provided within and surrounding open space areas and connecting open space areas. Trails shall be a minimum of ten (10) feet in width and shall be of concrete construction. A trail may be flanked on one (1) side by a soft surface path a minimum of four (4) feet in width. The soft surface path shall be constructed with a minimum depth of eight (8) inches of compressed gravel, crowned and compacted with edging to contain trail material. (Ord. 480 §2.10, 2003)

Sec. 16-2-315. Easement and utility standards.

(a) Utility Easement Width. Utility easements shall measure ten (10) feet on each side of abutting rear lot lines. On subdivision perimeter rear lot lines adjacent to unsubdivided property, utility easements shall measure ten (10) feet in width. In the event that the location of utility easements adjacent to rear property lines is unsuitable for use by utility companies due to drainage, irrigation ditches or other obstructions, the subdivider shall provide like-width easements adjacent to said areas of obstruction. Side lot line easements, where necessary, shall measure ten (10) feet in full width; five (5) feet either side of a lot line is acceptable. Front lot line easements shall measure thirteen (13) feet in width. Easements may be more or less than widths stated if the specific utility indicates in writing a width other than those required by this Code. Utility easements shall be subject to the approval of the Town or applicable utility company.

(b) Multiple Installations Within Easements. Easements shall be designed so as to provide efficient installation of utilities. Public utility installations shall be located as to permit multiple installations within the easements. The developer will establish final utility grades prior to utility installations.

(c) Underground Utilities. Telephone lines, electric lines, cable television lines and other like utility services shall be placed underground. Pedestals and transformers shall not be located in the front yard setback adjacent to public streets, unless they are underground and/or not visible to the traveling public. The subdivider shall be responsible for complying with the requirements of this Section and shall make the necessary arrangements, including any construction or installation charges, with each utility provider for the installation of such facilities. Transformers, switching boxes, meter cabinets, pedestals, ducts and other facilities necessarily appurtenant to such underground utilities shall be placed underground. Screening or fencing is required to the satisfaction of the Board of Trustees. Electric transmission and distribution feeder lines and necessary appurtenances thereto may not be placed above ground unless they are carrying greater than 115 kV. Such facilities shall be placed within easements or public streets, as therein provided, or upon private easements or rights-of-way provided for particular facilities. (Refer to Division 2, Street Standards of this Article. Utility easements have been identified outside the right-of-way in order to accommodate the location of street trees.)

(d) Street Lighting. Street lighting and associated underground street lighting supply circuits shall be installed. The minimum requirement shall be two-hundred-fifty-watt sodium vapor lamps at a maximum spacing of four hundred (400) feet for local streets. Arterial streets and commercial areas shall have a higher level of lighting as determined by the Board of Trustees. Street lighting shall also comply with Section 16-2-810 of this Article and be approved by the Town prior to installation. (Ord. 480 §2.11, 2003)

Sec. 16-2-320. Parks and open space.

The intent is to ensure that a comprehensive, integrated network of parks and open space is developed and preserved as the community grows. (Ord. 480 §2.12, 2003)

Sec. 16-2-325. Types of parks and open space.

(a) Plazas. A plaza is typically located in a commercial or industrial area to serve as a gathering place. A plaza is usually bordered by civic or private buildings. Plazas may range from very active places with adjacent complimentary uses such as restaurants and cafes, to quiet areas with only seating, formal landscape plantings and amenities such as fountains or public art. Developers are responsible for developing and providing the appropriate amenities for each plaza.

(b) Pocket Parks.

(1) Pocket parks provide places within walking distance of residential units for supervised play for young children and unstructured activities for neighborhood residents. Developers must provide the land and develop a one-acre pocket park for every two hundred fifty (250) residential units. At a minimum, a pocket park shall include live ground cover, trees and irrigation plus one (1) of the following: playground equipment, contemplative garden or other active or passive recreation opportunities for the neighborhood, as approved by the Town.

(2) Projects with less than two hundred fifty (250) units must provide a pocket park or demonstrate that they are within one-half ($\frac{1}{2}$) mile of a neighborhood park. If credit is taken for proximity to a neighborhood park, the developer must provide a cash-in-lieu equivalent for its pro rata share of the cost of land and improvements for a pocket park (i.e., provide twenty-five percent [25%] of a pocket park for fifty [50] units), as approved by the Town.

(3) The land and amenities of a pocket park may be added to a centrally located neighborhood park. The pocket park amenities placed in a neighborhood park must be within one-half ($\frac{1}{2}$) mile of the sub-neighborhood's two hundred fifty (250) residences served. For example a neighborhood park serving a neighborhood of five hundred (500) residences shall have two (2) pocket park amenity pods, located to conveniently serve each of the sub-neighborhoods.

(c) Neighborhood Parks. Neighborhood parks are places for recreation and social gatherings that are within walking distance of most residents. These parks can include multiple-use lawn areas, picnic areas, playground equipment, court game facilities and community gardens. The general locations for each seven (7) to ten (10) acre neighborhood park are shown on the Johnstown/Milliken Parks ,Trails, Recreation and Open Space Master Plan. Every residential development shall either provide land for a

neighborhood park or provide a fair share, cash-in-lieu contribution for the park that will serve the neighborhood. This can be credited toward the twenty-percent land dedication required at the time of subdivision. Developers providing land shall submit a conceptual design for the park to demonstrate that it meets the intent of the Johnstown/Milliken Parks, Trails, Recreation and Open Space Master Plan.

(d) Community Park. Community parks serve the residents of several neighborhoods. Community parks are to be located on or near arterial streets at the edge of residential areas or in nonresidential areas to minimize the impact of organized recreational activities such as lighted ball fields. The general locations for community parks are shown on the Johnstown/Milliken Parks, Trails, Recreation and Open Space Master Plan. These parks will be purchased and developed by the Town.

(e) District Park. District parks serve the residents of the entire Town as well as people who live outside of the community. These parks are located to take advantage of special natural settings. Milliken's district parks are illustrated on the Johnstown/Milliken Parks, Trails, Recreation and Open Space Master Plan. District parks are purchased and developed by the Town.

(f) Trails. The trail system shall link neighborhoods, parks, schools, open spaces, employment centers, community facilities and neighboring communities and thus provide important transportation connections, as well as recreational opportunities and access. Developers must provide trails in all areas designated "Parks and Trails" on the Johnstown/Milliken Parks, Trails, Recreation and Open Space Master Plan, as well as connections to the Town's trail system and destinations within the neighborhood.

(g) Regional Open Space. Milliken's regional open space system includes: Town drainage ways, floodplains, natural areas, natural area buffer zones, wetlands, subsidence areas, agriculture preservation areas and lands of archeological or historic significance. Access is generally limited to trails, educational signs and similar improvements.

(h) Storm Drainage Facilities. Storm drainage facilities, including stormwater detention and stormwater retention ponds, may function as open space for active recreation, trail corridors or habitat enhancement areas if they are designed appropriately. Credit toward the open space dedication requirements will be considered on a case-by-case basis by the Board of Trustees at the time of platting. (Ord. 480 §2.12, 2003)

Sec. 16-2-330. Parks and open space generally.

(a) Open Space as Neighborhood Focus. Open space, such as the Town drainage ways and developed parks and plazas, shall be used to organize and focus lot, block and circulation patterns and to enhance surrounding development. Street, block, lot and building patterns shall respond to the views, landscape and recreational opportunities provided by the open space.

(b) Public Access. Areas designated as public open space shall be both visibly and physically accessible to the community. Public access shall be provided to all public open space, natural and developed, directly from the public street and trail system. Open space areas shall be bounded along at least fifty percent (50%) of the perimeter by a street, except for pocket parks and plazas, unless otherwise authorized by the Board of Trustees. Pocket parks and plazas shall be integrated into the neighborhood design and be accessible to pedestrians and bicyclists.

(c) Buildings to Front Public Open Space. Development adjacent to open spaces shall front onto the area as much as possible, so that the areas are not enclosed by back yards. In the case of rural subdivisions, open space frontage shall be appropriate to the design and character of the development. Open space and trail areas shall have a minimum of three hundred (300) feet of street frontage unless otherwise authorized by the Board of Trustees.

(d) Buffering. Appropriate buffering and setbacks shall be used between environmental resources and proposed development to ensure that the proposed development does not degrade the existing habitat. Developers shall provide an open space buffer zone around all natural areas unless otherwise authorized by the Board of Trustees (refer to Section 16-2-815 of this Article for further information about natural area buffer zones). The size of the buffer zone shall be in accordance with studies prepared by the Colorado Division of Wildlife or a qualified wetland/wildlife ecologist employed by the Town and paid for by the developer.

(e) Open Space Uses. Uses designated within the open space shall be appropriate to the context and character of the site and the intensity of the proposed development.

(f) Ownership and Maintenance of Open Space. Ownership and maintenance of public open space shall be determined by the Town on a case-by-case basis through the review process.

(1) Generally, the Town shall own and maintain neighborhood parks, community parks, district parks and public trails.

(2) Pocket parks, landscaped outlots and private recreational facilities shall be owned and maintained by a homeowners' association or the landowner.

(3) Environmentally sensitive, archaeological and historic resources may be dedicated to the Town and maintained by the Town if approved by the Board of Trustees.

(4) Conservation areas set aside as part of a conservation subdivision shall be owned and maintained by the homeowners' association.

(5) Stormwater detention and retention areas that function as open space shall be owned and maintained by a homeowners' association or the landowner, unless otherwise approved by the Town.

(6) Areas designated as open space shall be maintained according the designated function of the area. *Applicants shall work with the National Resources Conservation Service to develop a management plan which addresses: irrigation, revegetation, erosion control and weed management.* If the area is to remain in private ownership, a mechanism which will assure maintenance will be funded in perpetuity must be in place at the time of final plat.

(g) Open Space Protection. Areas designated as open space shall be protected by a deed restriction or other appropriate method to ensure that they cannot be subdivided or developed in the future and remain open in perpetuity. They may be dedicated to the public or held in private ownership. Appropriate ownership will be determined through the review process in cooperation with the landowner. Future use may include recreational or agricultural activities if approved by the Town. (Ord. 480 §2.12, 2003)

Sec. 16-2-335. Open space requirements.

(a) Open space includes:

(1) Areas within the community designated for the common use of the residents of an individual development and/or the community at large;

(2) Areas designated for preservation and protection of environmental resources, including floodplains, natural drainage ways, wildlife habitat and wetland areas;

(3) Areas designated for agricultural preservation; and

(4) Areas of archeological and historic significance.

(b) Open space shall not include the following:

(1) Required setback areas around oil and gas production facilities;

(2) Disconnected remnants of land created by division of sites into lots or parcels that do not qualify as functional open space or that preserve environmental resources, unless approved by the Board of Trustees;

(3) Private yards;

(4) Tree lawns in street rights-of-way; or

(5) Required parking lot landscaping associated with all uses, except parking specifically designated for access to open space areas and within commercial/industrial projects.

(c) Amount of Open Space Required. The amount of functional open space required in each development will be based on the density of the development, the recreational requirements of the anticipated users and the anticipated opportunities for public recreation within walking distance of the site (one-half [$\frac{1}{2}$] mile). However, all residential subdivisions shall dedicate a minimum of twelve percent (12%) of the gross land area for public parks, trails, open space or other civic purposes at the time of subdivision. Nonresidential subdivisions shall dedicate seven percent (7%) of the gross land area for public parks, trails, open space and other civic purposes at the time of subdivision. This dedication can be credited toward the overall open space required for the subdivision. As determined by the Board of Trustees, the subdivider shall pay fee-in-lieu of land dedication in those cases where dedication of land is not the preferred alternative. Such payment shall be based on the fair market value of the entire property and the value of the improved open space, to be determined after completion of the platting process. Such payment shall be held by the Board of Trustees for the acquisition of sites and land areas by the Town. At the option of the Board of Trustees, the subdivider may meet the dedication requirements through a combination of fee-in-lieu and land dedication.

(1) Rural Subdivision. The developer shall provide a minimum of twenty percent (20%) of the gross land being subdivided as functional open space, which may include agricultural land, natural areas, drainage ways, floodplains, subsidence areas, trails and other civic purposes.

(2) Rural Subdivision With Density Bonus. The developer shall provide a minimum of seventy-five percent (75%) of the gross land being subdivided as functional open space which may include agricultural land, natural areas, drainage ways, floodplains, subsidence areas, trails and other civic purposes. See Figure 2-15.

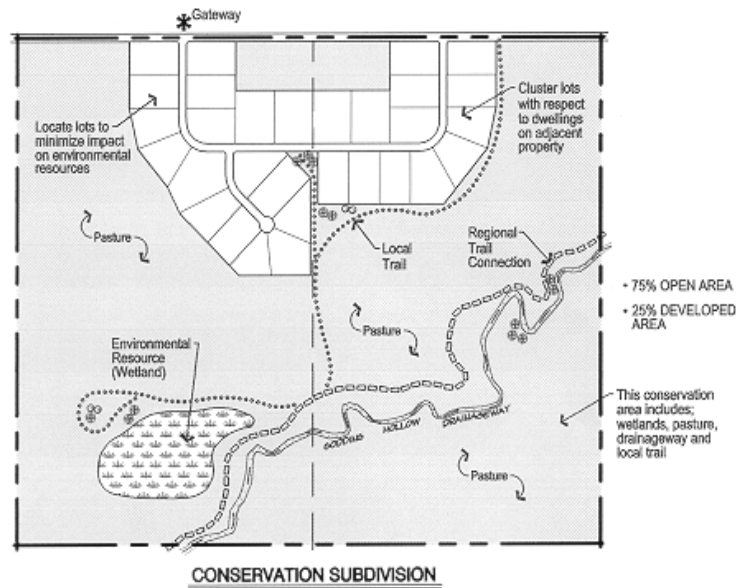


Figure 2-15

(3) Single-Family Residential Developments. The developer shall provide:

a. A minimum of twenty percent (20%) of the gross land being subdivided as functional open space, which may include: pocket parks, plazas, trails, recreational amenities, homeowners' association-owned landscaped areas (excluding parking lots), natural areas and amenities for residents or other civic purposes;

b. One (1) centrally located pocket park for every two hundred fifty (250) residential units;

c. The land for one (1) neighborhood park within a one-half-mile radius of the proposed homes (general locations are shown on the Johnstown/Milliken Parks, Trails, Recreation and Open Space Master Plan; or, at the discretion of the Board of Trustees, a fair-share, cash-in-lieu contribution for the cost of the neighborhood park that will serve the development; and

d. An internal trail system and the trails designated on the Johnstown/Milliken Parks, Trails, Recreation and Open Space Master Plan.

(4) Multi-Family Residential Developments. The developer shall provide:

a. A minimum of twenty-five percent (25%) of the gross land being subdivided as functional open space which may include: pocket parks, plazas, trails, recreational amenities, homeowners' association or landowner-owned landscaped areas (excluding parking lots), natural areas and amenities for residents or other civic purposes;

b. One (1) centrally located pocket park for every two hundred fifty (250) residential units;

c. The land for one (1) neighborhood park within a one-half-mile radius of the proposed homes (general locations are shown on the Comprehensive Plan Land Use and Public Facilities Map); or, at the discretion of the Board of Trustees, a fair-share, cash-in-lieu contribution for the neighborhood park that will serve the development; and

d. An internal trail system and trails designated on the Johnstown/Milliken Parks, Trails, Recreation and Open Space Master Plan.

(5) Commercial and Industrial Developments. The developer shall provide:

a. A minimum of fifteen percent (15%) of the gross land being subdivided as functional open space, which may include: plazas, trails, landscaped areas (including parking lot landscaping), recreational amenities, natural areas and other civic purposes; and

b. An internal trail system and trails designated on the Johnstown/Milliken Parks, Trails, Recreation and Open Space Master Plan or any revisions.

(6) Planned Unit Developments (PUD). The developer shall provide:

a. A minimum of twenty-five percent (25%) of the gross land being developed as common functional open space which may include: pocket parks, trails, homeowners' association or landowner-owned landscaped areas (excluding parking lots), natural areas and amenities for residents and other civic purposes;

b. One (1) centrally located pocket park for every two hundred fifty (250) residential units;

c. Land for one (1) neighborhood park within a one-half-mile radius of the proposed homes (general locations are shown on the Johnstown/Milliken Parks, Trails, Recreation and Open Space Master Plan); or at the discretion of the Board of Trustees, a fair-share, cash-in-lieu contribution for the neighborhood park that will serve the development; and

d. An internal trail system and trails designated on the Johnstown/Milliken Parks, Trails, Recreation and Open Space Master Plan.

(d) Open Space and Ecological Characterization Plans. All land development applications, with the exception of plot plan applications for individual single-family residences, shall be accompanied by the appropriate open space plan. Each land development application shall include an ecological characterization report to determine if additional areas within the development shall be preserved. Refer to Section 16-2-815 of this Article for a description of the ecological characterization report requirements. The following information shall be included with the landscape plans or submitted as a separate map.

(1) Conceptual Open Space and Ecological Characterization Plan (submit with subdivision sketch plan). **The intent of the conceptual open space and ecological characterization plan is to identify the resources on a site and show how they are integrated into the overall design for the project and the neighborhood.** This information shall be included on the sketch plan map or combined with the landscape plan if it can be clearly illustrated and the scale is not greater than 1" = 200'. The conceptual open space and ecological characterization plan shall contain the following:

- a. A verbal and graphic description of the design intention and how the open space will function; and
- b. Specific information required on the conceptual plan as listed in the table which follows.

(2) Preliminary Open Space and Ecological Characterization Plan (submit with subdivision preliminary plat). The intent of the preliminary open space and ecological characterization plan is to discuss the details of how the open space will be used to organize the overall project design, illustrate how it will function in the overall neighborhood and define long-term maintenance requirements and responsibilities. Information shall be included on the preliminary landscape plan if it can be clearly illustrated and the scale is not greater than 1" = 100'. The preliminary open space and ecological characterization plan shall contain the following:

- a. A description of the design intention and how the proposal is consistent with the purpose and intent of this Section; and
- b. Specific information required on the preliminary plan as listed in the table which follows.

(c) Final Open Space Plan and Ecological Characterization Plan (submit with subdivision final plat). The intent of the final open space and ecological characterization plan is to ensure that all phases of the final open space plan are consistent with the preliminary open space plan as approved during the preliminary plat; or, for a PUD development, to identify the resources on the site and discuss the details of how the open space will be used to organize the overall project design, and to illustrate how it will function in the overall neighborhood and define long term maintenance requirements and responsibilities. Information shall be included on the final landscape plan if it can be clearly illustrated and the scale is not greater than 1" = 50'. The final open space and ecological characterization plan shall contain the following:

- (1) A description of the design intention and how the proposal is consistent with the preliminary open space and ecological characterization plan;

(2) Appropriate documentation (i.e., warranty deed, homeowners' association documents, conservation easement and open space management plan) that shows who will own and maintain the open space. The applicants shall develop an open space management plan. Technical information and assistance in developing the plan are available from the National Resources Conservation Service (NRCS), the local Colorado State University Cooperative Extension Service and the local Soil Conservation District; and

(3) Specific information required on the final open space and ecological characterization plan as listed in the table which follows.

OPEN SPACE AND ECOLOGICAL CHARACTERIZATION PLAN			
Information Required	Concept	Preliminary	Final
Scale, north arrow, site boundary	✓	✓	✓
Existing and proposed streets	✓	✓	✓
Existing and proposed utilities and easements		✓	✓
Existing contours (2' intervals) – may use USGS for concept plan	✓	✓	✓
Existing site features, including ditches, trees, shrubs and native ground covers and any drainageways on the site. Indicate which plants will be preserved and method of preservation and which will be removed	✓	✓	✓
Indicate if there are floodplains, wetlands, wildlife habitat, endangered species, archaeological/historic areas or other resources and prominent views and how they will be preserved and integrated into the overall site design	✓	✓	✓
Show the species of wildlife using the area, times/seasons area is used and the "value" (feeding, watering, nesting, roosting, perching, cover) area provides for such species	✓	✓	✓
Show wildlife travel corridors	✓	✓	✓
Note the general ecological functions provided by the site and its features	✓	✓	✓
Show the bank, shoreline and high-water mark of any perennial stream or body of water on the site	✓	✓	✓
Illustrate how the open space network and pedestrian circulation system (both private and public) will function within the proposed development and surrounding neighborhood	✓	✓	✓
Show how the property will relate to the neighborhood parks and trails in the area (see Milliken Comprehensive Plan Land Use and Public Facilities Map)	✓	✓	✓
Indicate which areas will be irrigated and method of irrigation		✓	✓
Define areas to be considered open space and if they will be public or private	✓	✓	✓
Indicate how open space (i.e., pocket parks, trails, natural areas, etc.) will be used and maintained, including: erosion control, revegetation, irrigation and weed management, both during and after construction		✓	✓
Describe the design intention	✓	✓	✓
Conceptual design of neighborhood park (if applicable)		✓	✓

(Ord. 480 §2.12, 2003)

